

# CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 2/9/2012

Action Requested By:

Community  
Development

Agenda Item Type

Ordinance

Subject Matter:

Property Assessment

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the cost of the cleanup and removal of debris against certain properties.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessment for the 2 properties listed. All procedural requirements for declaring, removal of debris and billing the nuisance have been completed in accordance with the City of Huntsville Code of Ordinances, Chapter 12, Article IV. As a result of nonpayment by a stipulated date, the property owner has also been notified that an assessment will be placed on the property at the February 9, 2012 City Council meeting, at which time he/she may appear to present any objections for the assessed cost.

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 1/26/2012

**RESOLUTION NO: 12-\_\_\_\_\_**

**WHEREAS**, the Director of Community Development for the City of Huntsville, Alabama, has executed all procedural requirements contained in Ordinance No. 05-157 entitled "The Huntsville, Alabama, Junk, Litter, and Inoperable Vehicle Ordinance"; and

**WHEREAS**, the Director of Community Development for the City of Huntsville, Alabama, has determined a nuisance to exist upon, in front of, or on property hereinafter more particularly identified; and

**WHEREAS**, the nuisance was subsequently removed by the City and the owner was mailed a copy of the report of cost of removal and notified by letter that an assessment would be placed against subject property for nonpayment of removal cost by a stipulated date; and

**WHEREAS**, it appears that all things necessary and proper have been done to make final the assessment against the property for the cost of abating the nuisance and that the stipulated date for payment of removal has expired on the property hereinafter described.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Huntsville, Alabama, that the City Clerk-Treasurer hereby assesses the cost of abating the nuisance against the described property listed in Attachment A of this Resolution in the amounts indicated; AND, that the City Clerk-Treasurer is hereby authorized, requested and directed to levy the amount of such assessments against the property indicated and to collect the same in the same manner as other assessments are collected.

**BE IT FURTHER RESOLVED**, by the City Council of the City of Huntsville, Alabama, that the Director of Community Development, or his/her appointed designee, is hereby authorized to file in the Office of the Judge of Probate of Madison County, Alabama, a lien instrument known as "Notice of Property Assessment, City of Huntsville - **Ordinance No. 05-157**" on all properties listed in Attachment A of this Resolution, in the amounts indicated plus ~~any recording or filing fees and plus any legal late penalty fees~~ as determined by the Division of Community Development of the City of Huntsville, Alabama.

**ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
President of the City Council  
of the City of Huntsville, Alabama

**APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Mayor of the City of Huntsville, Alabama

RESOLUTION NO: 12- \_\_\_\_\_

Attachment A, Page 1

CLEAN-UP BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Arrington E. Herry 15112 Redgate Dr. Silver Spring, MD 20905-5729	3618 Emm Ell St SW LOT 10 BLK 5 SUB : HUNTSVILLE PARK	1-4-2012	\$208.29
Maria E. Oravec 1270 Fox Trap Rd. Russellville, AL 35653	4509 Baywood Dr SW LOT 19 BL 2 TRIANA ESTATES 2ND ADD PB 3 PG 149	11-8-2011	\$209.67